

FIRST REGULAR SESSION

[P E R F E C T E D]

# SENATE BILL NO. 121

92ND GENERAL ASSEMBLY

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INTRODUCED BY SENATOR CASKEY.

Pre-filed December 1, 2002, and 1,000 copies ordered printed.

Read 2nd time January 14, 2003, and referred to the Committee on Economic Development, Tourism and Local Government.

Reported from the Committee February 10, 2003, with recommendation that the bill do pass and be placed on the Consent Calendar.

Taken up February 17, 2003. Read 3rd time and placed upon its final passage; bill passed.

TERRY L. SPIELER, Secretary.

0414S.01P

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## AN ACT

To repeal section 64.905, RSMo, relating to county planning and zoning, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 64.905, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 64.905, to read as follows:

64.905. 1. The provisions of sections 64.800 to 64.905 are established as an alternative to the provisions of sections 64.510 to 64.690 for counties of the second and third classifications, and as an alternative to the provisions of sections 64.211 to 64.295 for counties of the first classification not having a charter form of government.

2. Except as provided in subsections 4 and 5 of this section, if the voters of any county of the second or third classification adopt county planning or zoning pursuant to the provisions of sections 64.800 to 64.905 after having previously adopted county planning or zoning pursuant to the provisions of sections 64.510 to 64.690, the provisions of sections 64.800 to 64.905 shall be effective in the county, and the county planning or zoning shall be conducted thereafter as provided in sections 64.800 to 64.905 rather than as provided in sections 64.510 to 64.690.

3. Except as provided in subsections 4 and 5 of this section, any county of the second classification which adopts county planning or zoning pursuant to the provisions of sections 64.800 to 64.905 or 64.510 to 64.690 prior to becoming a county of the first classification not having a charter form of government shall continue to operate pursuant to those provisions as

a county of the first classification until the county planning or zoning program is terminated pursuant to the provisions of section 64.900. After the termination of county planning or zoning pursuant to sections 64.800 to 64.905, the county commission of any county of the first classification not having a charter form of government may exercise all powers and duties prescribed by and may elect to come under the provisions of sections 64.211 to 64.295.

4. Notwithstanding the provisions of subsections 2 and 3 of this section, in any county of the first classification without a charter form of government which has a population of at least one hundred fifty thousand inhabitants which contains all or a portion of a city with a population of at least three hundred thousand inhabitants, **and in any county of the first classification without a charter form of government having a population of at least eighty-two thousand inhabitants, but less than eighty-two thousand one hundred inhabitants**, which has adopted planning and zoning prior to becoming a county of the first classification, the county governing body may, by ordinance, provide that the county's planning and zoning may be conducted as provided in sections 64.510 to 64.690, sections 64.800 to 64.905 or sections 64.211 to 64.295.

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